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WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

EAST TIMOR

Working paper prepared by the Secretariat

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I. GENERAL

1. The Territory of East Timor comprises the eastern part of the island of Timor, which is located at the top of the chain of islands forming the Republic of Indonesia; the enclave of Oecusse Ambeno; the island of Atauro, off the northern coast of Timor; and the island of Jaco, off its extreme eastern tip. It lies between latitudes 8° 17'S and 10° 22'S and longitudes 123° 25'E and 127° 19'E. The 1980 census recorded the total population of the Territory at 555,350. According to the latest estimates, as of 1993, the population of the Territory was 783,000 (ST/ESA/STAT/SER.A/193).

II. POLITICAL DEVELOPMENTS

A. Background

2. According to Indonesian Law 7/76 of 17 July 1976, East Timor is a province or a "first-level region" of Indonesia with a Government consisting of a "Regional Secretariat" and a "Regional House of Representatives". East Timor is represented in the National House of Representatives and in the People's Consultative Assembly of Indonesia.

3. In its resolution 32/34 of 28 November 1977, the General Assembly rejected the claim that East Timor had been integrated into Indonesia, inasmuch as the people of the Territory had not been able to exercise freely their right to self-determination and independence.

B. Recent developments

4. According to press reports, on 14 July 1994, a group of East Timorese students held a march in Dili to protest the alleged "Islamization" of the Territory. The Indonesian police dispersed the demonstrators, injuring some 20 persons. Published reports also indicate that two participants were arrested and tortured by the military. Monsignor Belo, the Catholic Bishop of East Timor, stated in connection with the incident that the problem of East Timor would be resolved only after the Indonesian military had withdrawn from the Territory. He also expressed concerns over the distribution in East Timor of pamphlets containing calls for the "Islamization" of the population and warned against possible religious clashes. The Foreign Minister of Indonesia, in connection with the events of 14 July, reportedly refuted allegations of religious intolerance and police brutality. 1/ However, the Permanent Mission of Indonesia to the United Nations described the above incident as follows:

> "On 14 July 1994, a few East Timorese students held a protest against rude behaviour of two low-ranking soldiers who allegedly indulged in insulting behaviour against the Santo Yoseph Remexio church. In connection with this incident, the local military commander, Col. Johnny J. Lumintang, apologized to the Catholics in East Timor. The Dili District Court tried the two accused individuals and they were sentenced to prison and dismissed from the armed forces."

5. Press reports indicate that at the end of July 1994, six Indonesian soldiers were killed during clashes with East Timorese guerrillas near Laleia, approximately 70 kilometres from Dili. 2/

6. According to press reports, on 1 August 1994, the Indonesian military barred protests and demonstrations in East Timor in connection with a visit to the Territory by a group of Japanese lawmakers and journalists. 3/ The Permanent Mission of Indonesia to the United Nations noted in that connection that in addition to a group of Japanese lawmakers and journalists, the following personalities have visited East Timor during 1994:

- Five members of the Japanese Diet, consisting of two MPs from the Liberal Democratic Party, two MPs from the Social Democratic Party and one from the New Party, from 10 to 13 August 1994. They were accompanied by two journalists from the NHK and two journalists from Asahi TV;

- Mr. Gerhart Baum, a Member of Parliament of the Federal Republic of Germany and Former Minister for Home Affairs, accompanied by Mr. Wolfgang Sachsenroder, Head of the Regional Office of the Friedrich Naumann Foundation for South-East Asia and East Asia, on 12 and 13 August 1994;

- Six staff members of the United States Congress from 21 to 28 August 1994;

- Six members of the Anglo-Indonesian Parliamentary Group, consisting of three MPs from the Conservative Party and three MPs from the Ulster Unionists from 18 to 20 September 1994;

- A delegation of four members of the Australian Parliament, consisting of two Liberal Party MPs, one Labour Party MP and one secretary, from 25 September to 1 October 1994;

- Five Members of the New Zealand Parliament, consisting of two MPs from the National Party, two MPs from the Labour Party and one MP from the First New Zealand Party, from 29 October to 1 November 1994;

- Approximately 40 foreign journalists attending the APEC meeting in November 1994, including one Portuguese journalist;

- Special envoys of the United Nations Secretary-General, Mr. Francesc Vendrell and Mr. Tamrat Samuel, from 30 November to 3 December 1994.

7. On 25 August, Bishop Belo inaugurated in East Timor a Commission on Peace and Justice. It was expected that the commission would have offices in 13 towns, 63 districts and 442 villages throughout the Territory. The Commission, according to Bishop Belo, "aims at learning about and analysing problems related to justice and peace ... to help people fully understand their role and function in the fields of justice, peace and human rights". 4/

8. In August 1994, the Indonesian Government reportedly announced its intention to relocate some 1,000 Catholic families from Java and Bali to East Timor. That decision reportedly was taken within the framework of the Indonesian "transmigration programme". 5/

9. According to press reports, on 11 September 1994, the Indonesian military arrested two members of the Frente Revolucionária de Timor Leste Independente (FRETILIN). 6/ Colonel Syahnakry, the Indonesian military commander in East Timor, confirmed the arrests and stated that in East Timor "there were only some 228 members of FRETILIN with 107 rifles and a small quantity of ammunition". He also reiterated the validity of the clemency decree proclaimed by the President of Indonesia for FRETILIN fighters who surrender.

10. It was further reported that in October 1994, the East Timorese resistance fighters had announced that they would be prepared to announce a unilateral cease-fire and "suspend all military activities, except as demands of legitimate defence", if the Indonesian authorities agreed to free imprisoned East Timorese leader José Alexandre "Xanana" Gusmão and to hold immediate negotiations "at the highest level" with the resistance fighters. 7/ The same sources indicated that on 11 October, the Indonesian military had rejected the unilateral cease-fire declared by the resistance fighters. The Indonesian military spokesman in East Timor, Major Simbolou, reportedly stated the following: "It's good that they have called for a cease-fire but that's not enough. They must now ... surrender themselves and their weapons. We are prepared to grant them amnesty if they surrender. But there will be no negotiations or dialogue with them."

11. According to press reports, Bishop Belo announced on 27 October that he was working with "all parties", including the Indonesian Government, to define a "special status" for East Timor for a transitional period towards an act of self-determination. 8/ According to the Permanent Mission of Indonesia to the United Nations Minister/State Secretary Moerdiono said that the Government of Indonesia would not give special autonomy to East Timor, which would make its status different from 26 Indonesian provinces.

12. The United States Information Service reported that on 12 November 1994 "there was a small demonstration in front of the United States Embassy in Jakarta. The demonstrators were seeking to express their views on the situation in East Timor. Several entered the Embassy compound and remained there". The demonstration took place one day before the arrival in Jakarta of President Bill Clinton for the meeting of the Asia-Pacific Economic Cooperation (APEC) forum. The demonstration had been preceded by a letter dated 7 November 1994 from Mr. Gusmão addressed to President Clinton, in which he expressed his gratitude to the United States for its past attention to East Timor and appealed for the support of President Clinton in raising with President Suharto on the occasion of the APEC summit the need for Jakarta to display greater political goodwill in addressing the problems. 9/ Some 29 East Timorese protestors who entered the United States Embassy compound staged a 12-day sit-in there and demanded the immediate release of Mr. Gusmão. On 23 November, the protesters were allowed by the Government of Indonesia to leave the country for any country of their choice. On the same date, they left Indonesia for exile in Portugal. 10/

13. Press reports stated that a number of pro-independence demonstrations were held in East Timor during the period 12-24 November 1994. 11/ The same sources indicated that the Indonesian security forces used truncheons and tear gas to disperse the protestors; they also resumed night-time detentions of youths suspected of having pro-independence sympathies. Approximately 135 East Timorese were reportedly arrested for participating in those demonstrations. Many of them reportedly were taken from their homes and beaten by the Indonesian security forces. The police acknowledged 80 arrests. 12/ In November 1994, the Indonesian authorities announced that 30 East Timorese would be prosecuted for alleged involvement in pro-independent protests in East Timor between 10 and 24 November. 13/

14. It was later reported 14/ that on 26 November, a pro-Indonesian demonstration had been held in Dili. The demonstration was reportedly disrupted by a group of pro-independence East Timorese.

15. On 14 January 1995, as reported by the press, the Indonesian security task force (Tintim Saka) killed six East Timorese near the village of Gauana. The Indonesian authorities stated that the six victims were FRETILIN guerrillas. 15/ In February, the United States, Australia and Canada expressed their concern to the Indonesian authorities over the alleged killing of the six FRETILIN members. They stated that they had enough evidence to contradict official Indonesian accounts that the incident had been a clash between troops and anti-Indonesian guerrillas. 16/ Also in February, the Indonesian military established a special investigation team to examine the incident. 17/ Following the investigation, the Indonesian Government acknowledged that the military had committed "irregularities" in the killing of the six East Timorese and "had acted beyond established procedures". A special inquiry was initiated following the above acknowledgement. 18/ On 24 February, it was announced that the Indonesian military had established a 36-member committee to investigate the killings. 19/ On the same date it was also announced that the Indonesian military at Liquica had arrested 10 East Timorese for questioning on charges of conspiring against the Government. 20/ On 27 February, the Indonesian military admitted that the six people killed by the soldiers were "victims of mistaken identity". 21/ On 5 April, the Indonesian army decided to court-martial two soldiers who had been found guilty in the killing of the six East Timorese on 14 January. 22/

16. According to press reports, 23/ on 1 January 1995, an ethnic riot took place at Baucau following an alleged killing of an East Timorese by an Indonesian immigrant. Some 200 youths reportedly burned a market, shops and houses belonging to Indonesian merchants. Police clashed with the rioters and dispersed the crowd. It was further reported that three persons had been killed and three injured during the incident. Police reportedly arrested 20 East Timorese for questioning. In accordance with the press release of the Indonesian Mission to the United Nations of 18 November 1994, the above incident was described as follows:

> "On 1 January 1995, an outbreak of violence occurred as a result of a personal quarrel between two traders, one from Sulawesi and one from East Timor, in which the latter was killed. The police officials thereafter contained the violence and restored order. The South Sulawesi man was promptly arrested, tried by the Dili District Court and sentenced to

11 years in prison for the murder of the East Timorese trader on 17 January 1995."

17. Press reports 24/ in February 1995 indicated that in that month several so-called "Ninja gangs", which were allegedly operating with the connivance of the Indonesian military, had attacked and burned residences of many pro-independence East Timorese. Four East Timorese youths were reported to have been abducted by those gangs. Bishop Belo, speaking on a Lisbon radio station on 10 February 1995, said that the international community should help to guarantee the return of East Timor to tranquillity. On 15 February, the Indonesian military reportedly arrested 12 alleged members of the "Ninja gangs" and stated that the 12 arrested individuals were believed to be members or sympathizers of an urban pro-independence movement known as "Clandestine". 25/

18. On 15 February, Mr. José Antonio Neves, an East Timorese theology student and Secretary of the Student Resistance Organization, was sentenced by an Indonesian court to four years imprisonment. Mr. Neves had been arrested in May 1994 at Malang, Central Java, while sending faxes to human rights monitors overseas, citing violations of human rights in East Timor. 26/

19. On 6 March 1995, Indonesian military authorities arrested some 30 pro-independence activists in East Timor. Colonel Kiki Syahnakri, Chief of the East Timor Military Command, said that the arrested East Timorese were "supporters and followers of FRETILIN". 27/

20. According to press reports, 28/ on 30 May 1995, a group of 17 East Timorese refugees arrived by boat in Darwin, Australia. The same sources indicated that the refugees were members of the Clandestine Resistance front and had fled from East Timor for political reasons.

III. HUMAN RIGHTS SITUATION

21. A member of the Commission on Human Rights since 1991, Indonesia has repeatedly affirmed its commitment to international human rights principles.

22. According to a United States Department of State report, 29/ in East Timor "troop levels remained unjustifiably high. Somewhat greater access was permitted to foreign journalists and others ... although some representatives of non-governmental organizations and foreign journalists continued to encounter difficulties or were denied access to East Timor. About 6,000 army troops from outside East Timor reinforced the normal garrison there. There were also about 3,000 police in East Timor".

Disappearances

23. With regard to disappearances, the report of the State Department indicated that the efforts of the Indonesian Government to account for the missing and dead from the 12 November 1991 military shootings of civilians in Dili remained inadequate. No additional cases of those still listed as missing were resolved during 1994. 29/

Torture and other cruel, inhuman or degrading treatment or punishment

24. The report further stated that security forces continued to employ torture and other forms of mistreatment, although the use of torture had declined. Torture continued to be used before releasing suspects to police custody, although its incidence decreased. Political prisoners were usually mixed with the general prison population, although high-profile political prisoners were segregated. 29/

Arbitrary arrest, detention or exile

25. According to the report, in the areas where active guerrilla movements exist, people were routinely detained without warrants, charges or court proceedings. Bail was rarely granted, especially in political cases. Military authorities continued the practice of detaining people without charges for short periods and then releasing them, with the requirement that they report weekly or daily to police. 29/

Arbitrary interference with privacy, family, home or correspondence

26. The report also stated that judicial warrants for searches were required except for cases involving subversion, economic crimes and corruption, although security agencies regularly make forced or surreptitious entries. The "transmigration policy" of the Indonesian Government (also see para. 8 above) was considered by human rights monitors to be a violation of the rights of the indigenous people as well as of the transmigrants. 29/

Freedom of speech and press

27. According to the report, during 1994, the staff of East Timor's only newspaper were subjected to various forms of intimidation, and a vehicle owned by the newspaper was burned following the newspaper's coverage of the mid-July demonstrations at Dili, which was at variance with the official account. In 1994, the authorities denied permission for non-governmental organizations and the local university to hold a seminar on development and local environment. Special permission from the Indonesian authorities continued to be required for foreign journalists to visit East Timor, although a number of group tours to the Territory were organized by the authorities for the media during 1994. Some journalists were denied access to the Territory. 29/

Freedom of peaceful assembly and association

28. As noted in the report, the Indonesian Government continued to place restrictions and control on the public marches and demonstrations in the Territory. During the period under review, several demonstrations were dispersed by the police, leaving a number of participants killed, injured or arrested (also see paras. 4, 13 and 16 above). 29/

Freedom of religion

29. With regard to the freedom of religion, the report points out that the Constitution provides for religious freedom. Two Indonesian soldiers found

guilty of provocative behaviour during a Catholic mass at Dili in July 1994 were court-martialled and in October 1994 were expelled from the army and sentenced to prison. 29/

Freedom of movement within the country, foreign travel, emigration and repatriation

30. According to the report, during 1994, the military continued to carry out security checks, which affected transportation and travel to and within the Territory, and occasionally introduced curfews in connection with military operations. 29/

31. During the period under review, Amnesty International issued two reports, entitled "East Timor - The Liquiza Killings" (February 1995) and "East Timor - Continuing Human Rights Violations" (February 1995). In those reports, Amnesty International reiterated its viewpoint that the Indonesian Government had to improve the human rights situation in the Territory. It regretted the fact that it had not been able to visit East Timor.

32. In February 1995 the Human Rights Watch/Asia issued a report, entitled "Indonesia/East Timor - Deteriorating Human Rights in East Timor", in which it called upon the Indonesian Government to take all necessary measures with a view to complying in full with international human rights standards. The Human Rights Watch/Asia regretted the fact that it had not been able to visit East Timor.

33. The United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Mr. Bacre Waly Ndiaye, issued a report on his mission to Indonesia and East Timor from 3 to 13 July 1994. The report is contained in document E/CN.4/1995/61/Add.1 dated 1 November 1994.

IV. ECONOMIC, SOCIAL AND EDUCATIONAL CONDITIONS

34. In the absence of information submitted by the administering Power under Article 73 e of the Charter of the United Nations and for reasons explained in paragraph 36 below, information on economic, social and educational conditions in the Territory during the period under review was derived from the submission of the Permanent Mission of Indonesia to the United Nations and is set out below:

> "According to East Timor Governor Abilio Jose Osorio Soares poverty and low-quality human resources remain major challenges and after these are dealt with, the goal of creating a prosperous, advanced and self-reliant East Timor could be accomplished. The statistics reflect that foreign and domestic investments now amount to a total of Rp 283.4 billion and these investments have provided employment for 28,923 workers in various sectors. (ANTARA News Agency, 25 and 27 January 1995)
>
> "Primary importance has to be accorded to East Timor's economy to make it more self-supporting. Mr. João Mariano De Sousa Saldhana, a research fellow at the Northern Territory University (NTU) and author of a book

entitled 'East Timor's Economy, Politics and Development', cited unemployment as an important social problem facing the region. He also addressed the fact that until now there was an unbalanced amount between the development fund provided by the Central Government and East Timor's own income. (ANTARA News Agency, 3 December 1994)

"The Ministry of Public Works has built bridges of a total length of 2,628 kilometres in the southern part of East Timor. In addition, it has constructed 446 kilometres of national level roads, 765 kilometres of provincial roads and 1,035 kilometres of regency level roads and 26 irrigation systems in the regencies of Liquisa and Viqueque. (ANTARA News Agency, 29 January 1995)

"The Governor of East Timor has emphasized the need to bolster investments in telecommunications to encourage foreign businesses to invest in the province. The local capital investment coordinating Board has informed us that businessmen from both Australia and local East Timorese will cooperate in the development of the Timor Gap project with a view to maximizing the gains to be derived from the project. (ANTARA News Agency, 30 January 1995)

"Efforts towards environment conservation in East Timor will be intensified. According to the Head of the Environment Section of East Timor, such efforts are fundamental to maintain the nature and environment in the region. (ANTARA News Agency, 8 October 1994)

"Banks in East Timor have accumulated funds of Rp 58 billion in the first semester of the 1994/1995 fiscal year, an increase of 34.24 per cent. According to the manager of the East Timor bank, the increase was caused by conversion into cash of government funds for the financing of several projects, including health projects, presidential instruction programme for backward regions and increases in salaries for civil servants. At the same time, it was noted that bank credit growth rate increased to Rp 17.92 billion or 40.26 per cent. The presence of banks have improved the economy and lifestyle of people in the province. As can be seen, an increasing amount of people are using the services of banks. It is hoped that this trend continues for it will contribute greatly to the development of the province. (ANTARA News Agency, 12 December 1994 and 12 February 1995)

"A total of 140 of East Timor's 442 villages received electricity. The rural electrification programme in the region failed to be fully implemented owing to the mountainous geographical conditions. The local branch of the electric company will continue to give priority to this project. (ANTARA News Agency, 6 December 1994)

"Eighteen State cooperatives and businesses are assisting in developing cooperatives and small businesses in East Timor. The East Timor provincial administration will provide the necessary support to encourage investment in the forestry sector. The industrial growth in the province is also encouraging. It has grown by an average of 24.9 per cent per year.

Small establishments have contributed to the growth of the industrial sector. (ANTARA News Agency, 28 November 1994)

"East Timor's health services have greatly improved since integration. According to the Head of the Local Population and Environment Office, Ms. Maria de Laourdes, adequate health facilities have been made available to most districts in the region. East Timor now has 67 public health centres and an addition of 2 hospitals to serve the population of 13 districts. (ANTARA News Agency, 9 September 1994)"

V. CONSIDERATION BY THE UNITED NATIONS 30/

35. Between 1961 and 1982, the General Assembly annually reviewed the question of East Timor and adopted resolutions on the basis of reports submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. 31/ Since its thirty-eighth session, the General Assembly has deferred consideration of the item. 32/

36. Since 1977, the Government of Portugal, in its capacity as administering Power of East Timor, has annually informed the Secretary-General that, owing to conditions prevailing in the Territory, namely, the presence of armed forces of Indonesia, it has been de facto prevented from transmitting any information concerning East Timor under Article 73 e of the Charter. 33/ On 5 June 1995, the Permanent Mission of Portugal addressed to the Secretary-General a note verbale on the above subject (A/50/214).

37. At its thirty-seventh session, by resolution 37/30 of 23 November 1982, the General Assembly requested the Secretary-General to initiate consultations with all parties directly concerned, with a view to exploring avenues for achieving a comprehensive settlement of the problem, and to report to the Assembly at its thirty-eighth session. The Assembly requested the Special Committee to keep the situation in the Territory under active consideration and to render all assistance to the Secretary-General to facilitate implementation of the resolution.

38. Since 1983, the Secretary-General has kept the General Assembly regularly apprised of developments related to the exercise of his good offices. 34/ His most recent progress report, submitted to the Assembly at its forty-ninth session, is contained in document A/49/391.

39. The Secretary-General held the fifth round of discussions with the Foreign Minister of Indonesia and Portugal at Geneva on 9 January 1995. The information regarding the fifth round of discussions is contained in press releases SG/SM/5519 and SG/T/1923. On 9 May 1995, the following statement was issued by the Spokesman for the Secretary-General (SG/SM/5626):

"Notifications are being sent out to 30 East Timorese of various political views from both inside and outside East Timor to attend the All-Inclusive Intra-East Timorese dialogue contemplated in the Geneva communiqué issued at the conclusion of the fifth round of talks between

Indonesia and Portugal on 9 January. The dialogue is now scheduled to take place in Austria from 2 to 5 June.

"The sixth round of ministerial talks between Indonesia and Portugal under the Secretary-General's auspices will now take place at Geneva on 8 July."

40. The most recent round of the all-inclusive intra-East Timorese dialogue was concluded on 5 June 1995 in Austria. The following press release was issued on that day by the United Nations Information Service:

"Concluding an all-inclusive intra-East Timorese dialogue at Schlaining Castle, Austria, today, 30 East Timorese, representing a broad cross-section of political opinion from inside and outside the Territory, adopted the Burg Schlaining Declaration, calling for a continuation of the dialogue. The meeting was initiated by the Secretary-General in the context of his good offices on the question of East Timor.

"The declaration proposed to the Secretary-General the holding of another intra-Timorese dialogue with a view to continuing the debate on issues annexed to the declaration, while noting that despite the frank and open spirit in which the dialogue was conducted, the fundamental, different political options remained unchanged. Such meetings should precede each round of negotiations on the question of East Timor between the Foreign Ministers of Portugal and Indonesia.

"Adopted by consensus, the declaration reaffirms the need to implement measures in the field of human rights and other areas with a view to promoting peace, stability, justice and social harmony. It also reaffirms the necessity of the social and cultural development of East Timor to be based on the preservation of the cultural identity of the people, including the teaching of the Tetun and Portuguese languages.

"The declaration also calls for the involvement of all East Timorese without discrimination in the development of the Territory in a climate of mutual understanding, tolerance and harmony.

"The participants affirmed the importance of the ongoing negotiations between the Governments of Portugal and Indonesia under the auspices of the Secretary-General, which aim at finding a just, comprehensive and internationally acceptable solution to the question of East Timor, according to the provisions, letter and spirit of General Assembly resolution 37/30. The declaration notes with appreciation the consultations undertaken by the United Nations with the various shades of Timorese opinion, aiming at their gradual involvement, as well as the availability of the Ministers of Foreign Affairs of Portugal and Indonesia for direct dialogue with Timorese personalities. The declaration also requests the Secretary-General and the two Governments to facilitate the free movement of Timorese families to and from East Timor.

"The declaration pays special tribute to the contribution of the Catholic Church in East Timor and the participation of

Dom Carlos Filipe Ximenes Belo, Apostolic Administrator of the Diocese of Dili, in the dialogue, whose concrete proposals for improving the physical and spiritual conditions of life of the East Timor people were agreed upon.

"Facilitated by the United Nations, the intra-East Timorese dialogue served to explore practical ideas that could have a positive impact on the situation in East Timor and assist in creating a conducive atmosphere for a solution of that question. The Government of Austria provided meeting facilities and accommodation for all participants. A number of other Governments also extended financial support to this initiative."

41. During the general debate at the forty-ninth session of the General Assembly, the representatives of Angola, Brazil, Mozambique, Cape Verde, Ireland, Iceland, Portugal and Guinea-Bissau referred to the question of East Timor in their statement.

42. In the general debate in the Fourth Committee, several representatives made references to the question of East Timor under the agenda item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples": Belarus (A/C.4/49/SR.6), Brazil (on behalf of the Rio Group) (A/C.4/49/SR.5) and Germany (on behalf of the European Union) (A/C.4/49/SR.5).

43. In the general debate in the Third Committee, references to East Timor were made by Germany (on behalf of the European Union), Canada, Norway and Sweden.

44. The Special Committee considered the question of East Timor at its 1431st, and 1435th to 1437th meetings, between 11 and 14 July 1994. During those meetings, the Committee heard statements by representatives of Indonesia (A/AC.109/PV.1431, 1435 and 1437); Sao Tome and Principe (on behalf also of Angola, Cape Verde, Guinea Bissau and Mozambique) (A/AC.109/PV.1436); Portugal, as the administering Power (A/AC.109/PV.1437); the Philippines (A/AC.109/PV.1437); Papua New Guinea (A/AC.109/PV.1437); and Fiji (A/AC.109/PV.1437); as well as by 28 petitioners.

45. At its 1437th meeting, on 14 July, the Special Committee decided to continue consideration of the item at its 1995 session subject to any directives which the General Assembly might give in that connection at its forty-ninth session (A/AC.109/PV.1437).

46. The question of East Timor was considered by the United Nations Subcommission for Prevention of Discrimination and Protection of Minorities at its 17th, 19th and 29th meetings, on 12, 15 and 29 August 1994 respectively (E/CN.4/Sub.2/1994/SR.17, 19 and 29). The documents pertaining to that consideration are listed below:

(a) Draft report of the Subcommission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1994/L.10/Add.7 (Part II) of 22 September 1994), chapter VII;

(b) Situation in East Timor: draft resolution (E/CN.4/Sub.2/1994/L.20 of 18 August 1994);

(c) Situation in East Timor: note by the Secretariat (E/CN.4/Sub.2/1994/14 and Add.1 of 14 July and 5 August 1994).

47. The question of East Timor was subsequently discussed by the Commission on Human Rights during its fifty-first session at its 7th and 55th meetings, on 9 February and 15 March 1995, respectively (E/CN.4/1995/SR.7 and 55). The documents pertaining to that consideration are listed below:

(a) Draft report of the Commission on Human Rights, fifty-first session (E/CN.4/1995/L.10/Add.12);

(b) The right of peoples to self-determination and its application to peoples under colonial or alien domination or occupation. Question of the violations of human rights and fundamental freedoms in any part of the world with particular reference to colonial and other dependent countries and territories, written statement submitted by Amnesty International (E/CN.4/1995/NGO/21);

(c) Letter dated 17 October 1994 from the Permanent Representative of the Republic of Indonesia to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1995/107);

(d) Letter dated 2 November 1994 from the Permanent Representative of the Republic of Indonesia to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1995/108);

(e) Letter dated 29 November 1994 from the Permanent Representative of the Republic of Indonesia to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1995/117);

(f) Letter dated 1 January 1995 from the Permanent Representative of the Republic of Indonesia to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1995/118);

(g) Letter dated 3 March 1995 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1995/173);

(h) Question of the violation of human rights and fundamental freedoms in any part of the world with particular reference to colonial and other dependent countries and territories: extrajudicial summary or arbitrary executions (E/CN.4/1995/61/Add.1);

(i) Situation in East Timor: report of the Secretary-General (E/CN.4/1995/72).

Notes

1/ Diario de Noticias (Lisbon), 25 and 27 July 1994; The Australian (Sydney), 26 July 1994; Publico (Lisbon) 23 July 1994; and The Straits Times (Singapore), 20 July 1994.

2/ Diario de Noticias (Lisbon), 31 July 1994.

3/ The Times (London), 3 August 1994.

4/ Jakarta Post, 26 August 1994.

5/ Reuters, 4 September 1994.

6/ Indonesian Observer (Jakarta), 12 September 1994.

7/ Reuters, 10 and 11 October 1994.

8/ Agence France-Presse, 28 October 1994.

9/ Reuters, 10, 11 and 14 November 1994.

10/ Reuters, 25 November 1994.

11/ The Guardian (London), 25 November 1994; and Agence France-Presse, 27 November 1994.

12/ The International Herald Tribune, 23 November 1994; and The New York Times, 22 November 1994.

13/ The Financial Times (London), 24 November 1994.

14/ Reuters, 28 November 1994.

15/ Indonesian Observer (Jakarta), 14 January 1995.

16/ The International Herald Tribune, 9 February 1995.

17/ The Australian (Sydney), 3 February 1995.

18/ The Australian (Sydney), 13 February 1995; Reuters, 17 February 1995; The Financial Review (Sydney), 13 February 1995; and The Sydney Morning Herald, 13 February 1995.

19/ Agence France-Presse, 24 February 1995.

20/ Reuters, 25 February 1995.

21/ The Financial Times (London), 27 February 1995.

22/ Jakarta Post, 5 April 1995.

23/ The Guardian (London), 3 January 1995; Reuters, 5 January 1995; and Jakarta News, 5 January 1995.

24/ Reuters, 10 and 14 February 1995.

25/ The International Herald Tribune, 16 February 1995.

26/ Reuters, 25 February 1995.

27/ Reuters, 6 March 1995.

28/ The Australian, 30 May 1995; Northern Territory News, 30 May 1995.

29/ United States Department of State, Country Reports on Human Rights Practice for 1994, Washington, D.C., February 1995, pp. 592-607.

30/ For details, see corresponding sections of the previous working papers prepared by the Secretariat contained in documents A/AC.109/L.1328, and A/AC.109/623, 663, 715, 747, 783, 836, 871, 919, 961, 1001, 1115, 1154 and 1187.

31/ See General Assembly resolutions 1699 (XVI), 1807 (XVII), 1913 (XVIII), 2107 (XX), 2184 (XXI), 2395 (XXIII), 2507 (XXIV), 2707 (XXV), 2795 (XXVI), 2918 (XXVII), 3113 (XXVIII), 3294 (XXIX), 3485 (XXX) and 31/53, relating to the question of Territories under Portuguese administration, including East Timor; see also Assembly resolutions 32/34, 33/39, 34/40, 35/27, 36/50 and 37/30 on the question of East Timor.

32/ General Assembly decisions 38/402, 39/402, 40/402, 43/402 and 46/402; see also A/41/PV.3, A/44/PV.3, A/45/PV.3, A/47/PV.3, A/48/130 and A/49/402.

33/ See A/35/233, A/37/160, A/37/125, A/39/136, A/40/159, A/41/190, A/42/171, A/43/219, A/44/262, A/45/172, A/46/131, A/47/189, A/48/130 and A/49/184. Owing to a lack of information from the administering Power, the information contained in the present paper has been derived from other sources.

34/ A/38/352, A/39/361, A/40/622, A/41/602, A/42/539, A/43/588, A/44/529, A/45/507, A/46/456 and A/48/418.